THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION Nos.8109 and 8111 of 2007

Dated: 19.04.2007

Between:

R. Hanumanthu and another.

..... PETITIONERS

AND

The Revenue Divisional Officer, Nizamabad, and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION Nos.8109 and 8111 of 2007

COMMON ORDER:

The petitioners in these writ petitions along two others were assigned land admeasuring about Acs.2.00 and odd gts each in survey No.683 of Borgaon (K) Village, Makloor Mandal, Nizamabad District. The Mandal Revenue Officer (MRO) issued orders on 12.05.2006 for resumption of the land on the ground that the assignees failed to bring the land into cultivation. The orders of MRO were assailed in W.P.No.23939 of 2006 mainly on the ground that non-cultivation of the assigned land cannot be a ground for resumption under the provisions of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 (the Act, for brevity). Accepting the submission, this Court, by order dated 17.11.2006 in W.P.No.23939 of 2006, set aside the orders dated 12.05.2006 and remitted the matter to MRO for appropriate necessary action. Subsequently MRO issued notice on 01.12.2006 to the petitioners and others and passed orders on 23.02.2007 cancelling the assignment made in favour of the petitioners. Aggrieved by the same the petitioners allegedly filed separate appeals before first respondent on 16.03.2007 along with separate applications for stay of the orders of MRO dated 23.02.2007. Alleging that immediate orders are not passed thereon, instant writ petition seeking appropriate declaration and direction.

Along with the writ petitions, the petitioners have annexed copies of the appeals filed before first respondent as well as the applications for suspension of the orders of MRO dated 23.02.2007. It appears that first respondent is yet to pass orders. Allegedly there is standing crop on the land in occupation of the petitioners and if the land is resumed pending appeal, they might certainly suffer prejudice. Therefore, it would be in the interests of justice to direct first respondent to dispose of the interlocutory applications for suspension within a period of one week from the date of receipt of a copy of this order.

The writ petitions, with the above observations, are accordingly disposed of. No costs.

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(**V.V.S.RAO, J**)

19th April, 2007

Note: Issue operative portion
by wire at party's costs.

B/o

ghn